

JUDGE DAVID BRIONES

FILED

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

2009 NOV 10 PM 5:03

CLERK, US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY Fm
DEPUTY

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**MARTHA ALICIA GARNICA,
a.k.a. Martha Sanchez,
HUGO ALBERTO FLORES-COLMENERO,
CARLOS FRANCISCO RAMIREZ-ROSALEZ,
ARTURO LEAL ROSALES,
a.k.a. Arturo Ramirez-Rosalez,
and
EDGAR ELY MERAZ,**

Defendants.

EP-09-CR-_____

SEALED

I N D I C T M E N T

**CT 1: §21:963-Conspiracy to
Import a Controlled Substance
CT 2: §8:1324-Alien Smuggling
Conspiracy
CT 3-4: §18:201-Bribery of a Public
Official
CT 5: §21:952 Importation of a
Controlled Substance**

**NOTICE OF GOVERNMENT'S DEMAND FOR
FORFEITURE**

THE GRAND JURY CHARGES:

EP09CR3071

COUNT ONE

(21 U.S.C. §§ 963, 952(a), 960(a)(1) & 960(b)(2)(G))

**That beginning on or about April 2009 and continuing to the date of
this indictment, in the Western District of Texas, the Republic of Mexico
and elsewhere, Defendants,**

**MARTHA ALICIA GARNICA,
a.k.a. Martha Sanchez,
HUGO ALBERTO FLORES-COLMENERO,
CARLOS FRANCISCO RAMIREZ-ROSALEZ,
ARTURO LEAL ROSALES,
a.k.a. Arturo Ramirez-Rosalez, and
EDGAR ELY MERAZ,**

**knowingly, intentionally, and unlawfully conspired, combined, and
confederated, and agreed with each other and others to the Grand Jury
known and unknown, to commit offenses against the United States, in
violation of Title 21, United States Code, Section 963, that is to say,**

they conspired to import a controlled substance, which offense involved 100 kilograms or more of a mixture or substance containing a detectable amount of marijuana, a Schedule I Controlled Substance, into the United States from Mexico, in violation of Title 21, United States Code, Sections 952(a), 960(a)(1) and 960(b)(2)(G).

COUNT TWO

8 U.S.C. §1324(a)(1)(A)(v)(I)

That beginning on or about October 1, 2009 and continuing to on or about October 11, 2009, in the Western District of Texas and elsewhere, Defendants,

MARTHA ALICIA GARNICA,
a.k.a. Martha Sanchez,
CARLOS FRANCISCO RAMIREZ-ROSALEZ, and
ARTURO LEAL ROSALES,
a.k.a. Arturo Ramirez-Rosalez

knowingly and intentionally conspired, combined, confederated and agreed together and with each other, and with others known and unknown to the Grand Jury to encourage and induce an alien to come to, enter and reside in the United States, knowingly and in reckless disregard of the fact that such coming to, entry and residence was and would be in violation of law, in violation of Title 18, United States Code, Section 1324(a)(1)(A)(v)(I).

COUNT THREE

18 U.S.C. 201(b)(1)(c)

On or about October 11, 2009, in the Western District of Texas, MARTHA ALICIA GARNICA a.k.a. Martha Sanchez did, directly and indirectly, corruptly give, offer, and promise a thing of value to a public official, with intent to induce the public official to do an act and omit to do an act in violation of his/her official duty, that is MARTHA ALICIA GARNICA

a.k.a. Martha Sanchez paid a United States Customs and Border Protection Officer \$500.00 in United States currency to allow an undocumented alien to be smuggled into the United States, in violation of Title 18, United States Code, §201(b)(1)(c).

COUNT FOUR

18 U.S.C. 201(b)(1)(c)

On or about November 7, 2009, in the Western District of Texas,

MARTHA ALICIA GARNICA,
a.k.a. Martha Sanchez, and
CARLOS FRANCISCO RAMIREZ-ROSALEZ,

did, directly and indirectly, corruptly give, offer, and promise a thing of value to a public official, with intent to induce the public official to do an act and omit to do an act in violation of his/her official duty, that is MARTHA ALICIA GARNICA a.k.a. Martha Sanchez and CARLOS FRANCISCO RAMIREZ-ROSALEZ paid a United States Customs and Border Protection Officer \$3500.00 in United States currency to allow a controlled substance to be imported into the United States, in violation of Title 18, United States Code, §201(b)(1)(c).

COUNT FIVE

(21 U.S.C. §§ 952(a), 960(a)(1) & 960(b)(3))

That on or about November 8, 2009, in the Western District of Texas,
Defendants,

MARTHA ALICIA GARNICA,
a.k.a. Martha Sanchez,
CARLOS FRANCISCO RAMIREZ-ROSALEZ,
ARTURO LEAL ROSALES,
a.k.a. Arturo Ramirez-Rosalez, and
EDGAR ELY MERAZ,

did knowingly and intentionally aid and abet each other to imported into the United States from Mexico a controlled substance, which offense

involved a mixture or substance containing a detectable amount of marijuana, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Sections 952(a), 960(a)(1) and 960(b)(3).

NOTICE OF GOVERNMENT'S DEMAND FOR FORFEITURE
(21 U.S.C. §§ 952 & 963, and 21 U.S.C. § 853)

I. Upon the conviction of the offense set forth in Count One and Count Six, Defendants,

MARTHA ALICIA GARNICA,
a.k.a. Martha Sanchez,
HUGO ALBERTO FLORES-COLMENERO, and
CARLOS FRANCISCO RAMIREZ-ROSALEZ,

shall forfeit jointly and severally to the United States any property constituting, or derived from any proceeds that said defendants obtained directly or indirectly as a result of the said violation; any and all property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of such violation of this indictment including but not limited to the following:

1. MONEY JUDGMENT

A sum of money equal to \$1,000,000.00 in United States currency, representing the amount of money involved in the offense(s) for which the defendants are jointly and severally liable.

2. SUBSTITUTE ASSETS.

If any property subject to forfeiture as a result of the offense(s) set forth in Count One.

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or

- e. has been commingled with other property which cannot be subdivided without difficulty;

as a result of any act or omission of the Defendants,

MARTHA ALICIA GARNICA,
a.k.a. Martha Sanchez,
HUGO ALBERTO FLORES-COLMENERO, and
CARLOS FRANCISCO RAMIREZ-ROSALEZ,

it is the intent of the United States of America, to seek forfeiture of any other property of said Defendants, up to the value of the property listed above as being subject to forfeiture.

II. As a result of the committing the offense alleged in the Count Two Defendants,

MARTHA ALICIA GARNICA,
a.k.a. Martha Sanchez,
CARLOS FRANCISCO RAMIREZ-ROSALEZ, and
ARTURO LEAL ROSALES,
a.k.a. Arturo Ramirez-Rosalez

shall forfeit to the United States pursuant to Title 8 U.S.C. § 1324 and Title 18 U.S.C. § 982:

- All conveyances used in the commission of the offense;
- Any property real or personal, that constitutes, or is derived from or is traceable to proceeds obtained directly or indirectly from the commission of the offense; and
- All property that was used to facilitate or is intended to be used to facilitate the commission of the offense;

1. MONEY JUDGMENT

A sum of money in United States currency, representing the amount of money involved in the offense(s) for which the defendants are jointly and severally liable.

2. SUBSTITUTE ASSETS

If any property subject to forfeiture as a result of the offense(s) set forth in Count One.

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

III. As a result of the committing the offense(s) alleged in Counts

Three, Four and/or Five, Defendant,

MARTHA ALICIA GARNICA,
a.k.a. Martha Sanchez

shall forfeit to the United States pursuant to Title 18 U.S.C. § 201,
through 18 U.S.C. § 981(a)(1) (C) and Title 28 U.S.C. § 2461(c):

- Any property, real or personal, which constitutes or is derived from proceeds traceable to the offense;

including but not limited to the following:


Currency derived from proceed(s) of the offense of Title 18
U.S.C. § 201.

A TRUE BILL.

FOREPERSON OF THE GRAND JURY

JOHN E. MURPHY
ACTING UNITED STATES ATTORNEY

BY:


JUANITA FIELDEN
Assistant U.S. Attorney